1 2 3 4	ALEXANDER J. HADJIS (Pro Hac Vice) Alexander.Hadjis@cwt.com CADWALADER, WICKERSHAM & TAFT I 700 Sixth Street, NW Washington, DC 20001 Telephone: (202) 862-2323 Facsimile: (202) 862-2400	LLP
5 6 7 8 9	RUDY Y. KIM (CA SBN 199426) RudyKim@mofo.com MORRISON & FOERSTER LLP 755 Page Mill Road Palo Alto, California 94304 Telephone: (650) 813-5600 Facsimile: (650) 494-0792 JOSHUA A. HARTMAN (Pro Hac Vice) JHartman@mofo.com MORRISON & FOERSTER LLP	
11 11 12 13 14	2000 Pennsylvania Avenue, NW Suite 6000 Washington, DC 20006 Telephone: (202) 887-1500 Facsimile: (202) 887-0763 Attorneys for Defendant-Counterclaimant FREESCALE SEMICONDUCTOR, INC.	
16		a
17		S DISTRICT COURT
18		RICT OF CALIFORNIA
19	OAKLAN	ND DIVISION
20	MEDIATEK INC.,	Civil Action No. 4:11-cv-05341 (YGR)
21 22	Plaintiff, v.	[CORRECTED PROPOSED] ORDER GRANTING DEFENDANT FREESCALE'S MOTIONS <u>IN</u>
23	FREESCALE SEMICONDUCTOR, INC.,	<u>LIMINE</u> (DKT. NO. 390-7)
24	Defendant.	
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	[CORRECTED PROPOSED] ORDER GRANTING FREESCALE CASE No. 4:11-CV-05341 (YGR)	's Motions <u>In Limine</u>

1	Upon consideration of Defen	dant Freescale Semiconductor, Inc.'s (Freescale) Motions <u>In</u>	
2	<u>Limine</u> , this Court hereby GRANTS its Motions <u>In Limine</u> as follows:		
3	IT IS THEREFORE ORDERED:		
4	(1) MediaTek is precluded from presenting any theory or evidence that Freescale has		
5	indirectly infringed the '331 patent, v	whether through contributory infringement or through active	
6	inducement;		
7	r In '		
8	Legal Basis	Order - Control of the difference - Decided	
9	Waiver or abandonment by	☐ Granted ☐ Granted with modification ☐ Denied	
10	failing to contest motion for		
11	summary judgment, Fed. R.		
12	Civ. P. 26(a)(2)(B), 37(c)(1)		
13	(2) MediaTek is precluded from	om presenting evidence relating to its own products,	
14	including its MT8135 processor;		
15			
16	Legal Basis	Order	
17	Patent L.R. 3-1(g), Fed. R.	☐ Granted ☐ Granted with modification ☐ Denied	
18	Civ. P. 26(e)(1), 37(c)(1)		
19	(3) MediaTek's experts are p	recluded from testifying about their understanding of the	
		recluded from testifying about their understanding of the terms that have not been construed by the Court:	
19		recluded from testifying about their understanding of the terms that have not been construed by the Court;	
19 20			
19 20 21	plain and ordinary meaning of claim	terms that have not been construed by the Court;	
19 20 21 22	plain and ordinary meaning of claim Legal Basis	terms that have not been construed by the Court; Order	
19 20 21 22 23	plain and ordinary meaning of claim Legal Basis	terms that have not been construed by the Court; Order	
19 20 21 22 23 24 25	plain and ordinary meaning of claim Legal Basis	terms that have not been construed by the Court; Order	
19 20 21 22 23 24	plain and ordinary meaning of claim Legal Basis	terms that have not been construed by the Court; Order	

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1	(4) MediaTek is precluded from	om presenting testimony from its technical experts,
2	Dr. Asanović and Mr. Narad, on the purported benefits of the technologies disclosed in the	
3	asserted patents or used in Freescale's accused products;	
4	Legal Basis	Order
5		☐ Granted ☐ Granted with modification ☐ Denied
6	Fed. R. Civ. P. 26(a)(2)(B),	Granted Granted with modification Granted
7	37(c)(1), Foundation	
8	(5) MediaTek is precluded from	om introducing evidence of the outcomes of other actions for
9	patent infringement initiated by Free	scale, including actions against MediaTek;
10	1 1D :	
11	Legal Basis	Order
12	Fed. R. Evid. 401, 402, 403	☐ Granted ☐ Granted with modification ☐ Denied
13	(6) MediaTek is precluded from	om presenting evidence related to any sales, offers for sale,
14	or marketing efforts that it has made	to [REDACTED] because MediaTek failed to provide
15	adequate 30(b)(6) testimony on such	topics;
16		
17	Legal Basis	Order
18	Fed. R. Civ. P. 30(b)(6)	☐ Granted ☐ Granted with modification ☐ Denied
19	(7) MediaTek is precluded fro	om presenting at trial any theory or evidence that Freescale's
20	. ,	sors infringe claim 21 of the '845 patent based on the ARM
21	_	ocessing Unit (IPU) of those products having the same
22	dynamic priority;	occoming that (if the products having the same
23	aynamic priority,	
24	Legal Basis	Order
25	Patent L.R. 3-1(c), Fed. R.	☐ Granted ☐ Granted with modification ☐ Denied
26	Civ. P. 26(a)(2), 37(c)(1)	
27		
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1	(8) MediaTek is precluded from	om presenting at trial any theory or evidence that "power
2	pins" on Freescale's accused i.MX31	, i.MX35, and i.MX50 processor chips which may be used
3	connect an external power management integrated circuit (PMIC) satisfy the "power supply	
4	adapted to provide a variable level voltage" limitation of claim 35 of the '331 patent;	
5	I ID '	
6	Legal Basis	Order - Control
7	Patent L.R. 3-1(c), Fed. R.	☐ Granted ☐ Granted with modification ☐ Denied
8	Civ. P. 26(a)(2), 37(c)(1)	
9	(9) MediaTek is precluded from	om presenting any theory or evidence in support of its
10	contentions that it is entitled to dama	ges and injunctive relief and that Freescale has willfully
11	infringed the asserted patents because	e it failed to provide any substantive responses to Freescale
12	Interrogatory Nos. 18–20;	
13		
14	Legal Basis	Order
15	Fed. R. Civ. P. 26(e)(1),	☐ Granted ☐ Granted with modification ☐ Denied
16	37(c)(1)	
17	(10) MediaTek is precluded f	rom presenting evidence of secondary considerations of no
18	· · ·	, 2, 5, 21, 22, or 25 of the '845 patent, other than the intrins
19	record of the '845 patent;	, 2, 0, 21, 22, 01 20 01 mV 0 10 pmvm, 0 mV mm m
20	record of the 0.13 patent,	
21	Legal Basis	Order
22	Fed. R. Civ. P. 26(e)(1),	☐ Granted ☐ Granted with modification ☐ Denied
23	37(c)(1)	
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the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SDL i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. □ Granted □ Granted with modification □ Denied Civ. P. 26(a)(2), 37(c)(1)	Fed. R. Civ. P. 26(a)(2), ☐ Granted ☐ Granted with modification ☐ Denied 37(c)(1) (12) MediaTek is precluded from presenting any theory or evidence of the order in the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SD i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as we any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis ☐ Order ☐ Granted ☐ Granted with modification ☐ Denied ☐ Civ. P. 26(a)(2), 37(c)(1) Dated:		processors practice the "arbitr		than the default configurations to prove that limitations of claim 21 of the '845 patent;
(12) MediaTek is precluded from presenting any theory or evidence of the order in we the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SDL i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis	(12) MediaTek is precluded from presenting any theory or evidence of the order in the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SD i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as we any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis		Legal Basis	Order	
(12) MediaTek is precluded from presenting any theory or evidence of the order in which the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SDL, i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. □ Granted □ Granted with modification □ Denied Civ. P. 26(a)(2), 37(c)(1) Dated:, 2014	(12) MediaTek is precluded from presenting any theory or evidence of the order in the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SD i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as we any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis		Fed. R. Civ. P. 26(a)(2),	□ Granted	☐ Granted with modification ☐ Denied
i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well any theory or evidence of the data transaction between the Smart DMA and the alleged "slav subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. Granted Granted with modification Denied Civ. P. 26(a)(2), 37(c)(1) Dated:, 2014	the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SD i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as we any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. Granted Civ. P. 26(a)(2), 37(c)(1) Dated:		37(c)(1)		
the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SDL, i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as well any theory or evidence of the data transaction between the Smart DMA and the alleged "slav subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. □ Granted □ Granted with modification □ Denied Civ. P. 26(a)(2), 37(c)(1) □ Denied Dated:, 2014	the alleged first and second "arbitration units" of Freescale's accused i.MX6DQ, i.MX6SD i.MX6SL processors grant the Smart DMA access to the alleged "slave subsystems," as we any theory or evidence of the data transaction between the Smart DMA and the alleged "slave subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. □ Granted □ Granted with modification □ Denied Civ. P. 26(a)(2), 37(c)(1) □ Dated:		(12) MediaTek is precluded	from presenti	ng any theory or evidence of the order in when
any theory or evidence of the data transaction between the Smart DMA and the alleged "slav subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. Granted Civ. P. 26(a)(2), 37(c)(1) Dated:	any theory or evidence of the data transaction between the Smart DMA and the alleged "sla subsystems." Legal Basis Order Patent L.R. 3-1(c), Fed. R. Granted Granted with modification Denied Civ. P. 26(a)(2), 37(c)(1) Dated:	the a		_	
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Civ. P. 26(a)(2), 37(c)(1) Dated:, 2014	Civ. P. 26(a)(2), 37(c)(1) Dated:, 2014		Legal Basis	Order	
Dated:, 2014	Dated:, 2014		Patent L.R. 3-1(c), Fed. R.	□ Granted	\square Granted with modification \square Denied
			Civ. P. 26(a)(2), 37(c)(1)		
United States District Judge	United States District Judge		d:, 201	4	
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